



DECLARATION FOR PATENT APPLICATION

As below-named inventors, we hereby declare that:

Our residences, post office addresses, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter that is claimed and for which a patent is sought on the invention entitled:

IN-SITU INTERFEROMETER ARRANGEMENT

the specification of which

- ☐ is attached hereto.
- ☒ was filed by an authorized person on our behalf on July 18, 2003 as Application Serial No. 10/623,364. (applicants' attorney is authorized to enter application serial number after execution of this document)
- ☐ and as amended [if applicable].

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below and so identified, or § 365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and we have also identified below any foreign application for patent or inventor's certificate or PCT international application on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
N/A			

We hereby claim benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Application Serial No.</u>	<u>Filing Date</u>
60/397,312	July 19, 2002

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) that occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

<u>PCT Application No.</u>	<u>Filing Date</u>
N/A	

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to: David A. Hall, HELLER EHRMAN WHITE and McAULIFFE LLP, 4350 La Jolla Village Drive, 7th Floor, San Diego, California 92122-1246; telephone (858) 450-8400:

<u>Attorney</u>	<u>Reg. No.</u>
David A. Hall	32,233
Stephanie Seidman	33,779
Dale L. Rieger	43,045
Fred C. Hernandez	41,832
Alan C. Gordon	51,220
Samuel S. Lee	42,791

and other members of the firm.

Address for correspondence: David A. Hall
HELLER EHRMAN WHITE AND McAULIFFE LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246

Full name of first inventor: Adlai H. Smith

Inventor's signature: 

Date: 8/5/03

Residence: Escondido, California

Post Office Address: 2920 Summit Drive

Escondido, California 92025

Citizenship: U.S.A.

Citizenship: Escondido, California 92025
U.S.A.

Full name of second inventor: Robert O. Hunter, Jr.

Inventor's signature: *Robert O. Hunter, Jr.*

Date: 26 September, 2003

Residence: San Diego, California

Post Office Address: 13718 Treviso Court

San Diego, California 92130

Citizenship: U.S.A.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: A. Smith et al.

Serial No.: 10/623,364

Customer
No.: 33123

Filed: July 18, 2003

For: *IN-SITU INTERFEROMETER
ARRANGEMENT*

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EL964456251US

I hereby certify that this correspondence and the attached papers are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and are addressed to:

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

01/06/04
Date: 

**NOTIFICATION OF CHANGE IN SMALL ENTITY STATUS AND
PAYMENT OF FEE DEFICIENCY PURSUANT TO 37 C.F.R. § 1.28(c)**

U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Fee Transmittal submitted upon filing of the above-captioned patent application erroneously classifies this application as subject to "small entity" fees. It has been determined that this application does not qualify for small entity fees. The error was made in good faith, without fraudulent or deceptive intent. This communication provides notification of the error in status and provides payment in the amount of \$892.00 for the fee deficiencies in the Utility Application Fee Transmittal and payment of the surcharge fee for the Response to Notice to File Missing Parts, pursuant to the provisions of 37 C.F.R. § 1.28(c). Please correct the Office records to reflect the changed status.

U.S. Serial No. 10/623,364

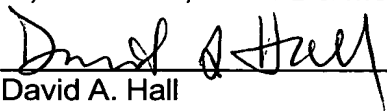
A. Smith et al.

NOTIFICATION OF CHANGE IN SMALL ENTITY STATUS, FEE PAYMENT

The Commissioner is hereby authorized to charge any fee, including any submitted herewith, if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,

HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: 
David A. Hall
Registration No. 32,233

Attorney Docket No. 38203-6215

Address all correspondence to:

David A. Hall

HELLER, EHRMAN, WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 7th Floor

San Diego, CA 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 450-8499

Email: dhall@hewm.com

SD 644133 v1

12/23/03 12:20 PM (38203.6215)